

**PHYSICAL THERAPY BOARD OF CALIFORNIA****Consumer Protection Services Program**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251
INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov

November 10, 2005

Citation No. 05-06-0152

Carol Ann Capper PT
15371 Charmeran Avenue
San Jose CA 95124

License No. PT 24377

CITATION

Investigation of a complaint submitted revealed actions taken by you which violate sections of the law regulating the practice of physical therapy.

A Citation is hereby issued to you in accordance with Section 125.9 of the Business and Professions Code for the violations described below.

FIRST CAUSE FOR CITATION*Disciplinary Action*

1. Business & Professions Code Section 2236(d), 2660(d)(i) and 2661

Licensee is subject to an administrative citation under the codes in that she was convicted of a crime substantially related to the qualifications, functions, or duties of a physical therapist. On or about August 27, 2000, Carol Ann Capper, physical therapist was arrested for VC23152(a)(b) DUI and VC12500(a) CA Drivers License required, and was convicted on or about September 19, 2000 for VC23103, Reckless driving at Santa Cruz Superior Court.

ORDER

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal -Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within 30 days after receipt of this Citation, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIME INDICATED WILL CONSTITUTE A WAIVER OF YOUR RIGHT TO ADMINISTRATIVELY CONTEST OR APPEAL THIS CITATION.

Administrative Fine

\$ NO ADMINISTRATIVE FINE

November 10, 2005

Date

Original Signed By:

STEVEN K. HARTZELL
Executive Officer

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ORDER OF ABATEMENT

November 10, 2005

Citation Against: Carol Ann Capper

Citation No. 05-06-0152

Item No. 1

Violations: Section 2236(d), 2660(d)(i) and 2661 of the Business and Professions Code

Description:

2236(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section and Section 2236.1. The record of conviction shall be conclusive evidence of the fact that the conviction occurred.

2660(d) Conviction of a crime which substantially relates to the qualification, functions, or duties of a physical therapist. The record of conviction or a certified copy thereof shall be conclusive evidence of that conviction.

2660(i) Conviction of a violation of any of the provisions of this chapter or of the State Medical Practice Act, or violating, or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter or of the State Medical Practice Act.

2661 A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense which substantially relates to the qualifications, functions, or duties of a physical therapist is deemed to be a conviction within the meaning of this article. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the penal Code allowing that person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

Order of Correction

You are hereby ordered to abate this violation immediately and to cease and desist from further violation.

Failure to comply with the provisions of this Citation and Order of Abatement within 30 days of receipt may result in further legal action.